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Registered Patent Agents*
 Karen R. Markowicz
 Andrea J. Kamage
 Nancy J. Leith
 Ann E. Summerfield
 Helene C. Carlson
 Gaby L. Longsworth
 Matthew J. Dowd
 Aaron L. Schwartz
 Angelique G. Uy
 Boris A. Matvenko
 Mary B. Tung
 Katrina Y. Pei
 Bryan L. Skelton
 Robert A. Schwartzman
 Jason D. Eisenberg
 John J. Figueira

Senior Counsel
 Samuel L. Fox
 Kenneth C. Bass III
 Lisa A. Dunner
HJ 10

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September 11, 2002

WRITER'S DIRECT NUMBER:
 (202) 371-2544

INTERNET ADDRESS:
 MCIMBALA@SKGF.COM

Commissioner for Patents
 Washington, D.C. 20231

Art Unit 1652

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TECH CENTER 1600/2900

Re: U.S. Utility Patent Application
 Appl. No. 09/826,206; Filed: April 5, 2001
 For: **Ketogulonigenium Shuttle Vectors**
 Inventors: John D'Elia
 Our Ref: 1533.1100001/MAC/DJN

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing the fifty-four (54) cited documents;
3. Copies of the fifty-four (54) cited documents as listed on Form PTO-1449; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala

Michele A. Cimbala
 Attorney for Applicants
 Registration No. 33,851

MAC/DJN
 Enclosures

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Sterne, Kessler, Goldstein & Fox PLLC : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
John D'Elia
Appl. No. 09/826,206
Filed: April 5, 2001
For: **Ketogulonigenium Shuttle Vectors**

Confirmation No. 2584
Art Unit: 1652
Examiner: *To Be Assigned*
Atty. Docket: 1533.1100001/MAC/DJN

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9/17/02

Second Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on April 12, 2002, in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicant's undersigned representative submits the following, in regard to non-English language documents AN1, AO1, AP1, AL2, AM2, AL3, AN3, AP3, AL4, AM4, AN4, AR12 and AS12 cited on Form PTO 1449:

Document **AN1**, patent JP 41-159 is in the Japanese language. An English language translation of document AN1 is attached as document **AT13**.

Document **AO1**, patent JP 41-160 is in the Japanese language. An English language translation of document AO1 is attached as document **AR14**.

Document **AP1**, patent JP 41-5907 is in the Japanese language. An English language translation of document AP1 is attached as document **AS14**.

Document **AL2**, U.S.S.R. patent 526,660 is in the Russian language. An English language abstract of document AL2 is attached as document **AT14**. Document AL2 is believed to describe the derivation of strain *Pseudomonas fluorescens* 806 from strain *Pseudomonas fluorescens* C-4. The document is further believed to describe the production of 2-keto-L-gulonic acid from sorbose by *Pseudomonas fluorescens* 806.

Document **AM2**, patent JP 59-113896 is in the Japanese language. An English language abstract of document AM2 is attached as document **AT15**. Document AM2 is believed to describe the preparation of fermentation methods and collection of pyrrolo-quinoline quinone (PQQ) by microorganisms.

Document **AL3**, patent EP 0 276 832 A2 is in the German language. An English language abstract of document AL3 is attached as document **AR16**. Document AL3 is believed to describe the production of 2-keto-L-gulonic acid from L-sorbose by cultivating an appropriate recombinant bacterium, preferably formed by transposon mutagenesis, in a medium containing L-sorbose.

Document **AN3**, patent JP 3-294281 is in the Japanese language. An English language abstract of document AN3 is attached as document **AS16**. Document AN3 is believed to describe the production of oxamzolopyrroloquinolines by microorganisms.

Document **AP3**, patent CN 1,081,470 A, is in the Chinese language. An English language abstract of document AP3 is attached as document **AR15**. Document AP3 is believed to describe an improved method of production of 2-keto-L-gulonic acid by mixed bacterial cultures.

Document **AL4**, patent JP 7-67673 is in the Japanese language. An English language abstract of document AL4 is attached as document **AT16**. Document AL4 is believed to describe the production of 2-keto-L-gulonic acid by a *Pseudogluconobacter saccharoketogenes* strain.

Document **AM4**, patent JP 7-250671 is in the Japanese language. An English language abstract of document AM4 is attached as document **AS15**. Document AM4 is believed to describe the production of 2-keto-L-gulonic acid by a *Pseudomonas* strain in an L-sorbose containing medium.

Document **AN4**, patent JP 8-245702 is in the Japanese language. An English language abstract of document AO4 is attached as document **AR17**. Document AN4 is believed to describe the production of a high molecular weight lipopolysaccharide from microorganisms, especially from the genus *Pantoea*.

Document **AR12**, Yin, G.-L., *et al.*, (1980) is in the Chinese language. An English language translation of document AR12 is attached as document **AR13**.

Document **AS12**, Yin, G.-L., *et al.*, (1981) is in the Chinese language. An English language translation of document AS12 is attached as document **AS13**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala
Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

Date: 9/11/02

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600